UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/680,107	10/04/2000	Glenn Reid	004860.P2476	8211

7590   08/21/2007

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ART UNIT	PAPER NUMBER
2628	

MAIL DATE	DELIVERY MODE
08/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	09/680,107	REID, GLENN
	Examiner	Art Unit	
	Jin-Cheng Wang	2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 March 2007*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-26* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
       1.☐ Certified copies of the priority documents have been received.
       2.☐ Certified copies of the priority documents have been received in Application No. _____.
       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Interview

Applicant has called the examiner that applicant has not received the pages of the cited reference Adobe After Effect 4.0 from the patent Office. The examiner agrees that the copies of the selected pages cited in the Office Action be sent to the applicant and the time period for reply should be reset.

Response to Amendment

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/23/2007 has been entered. Claims 1, 8, 15, and 21 have been amended. Claims 1-26 are pending in the present application.

Response to Arguments

Applicant's arguments, filed March 23, 2007, with respect to claim 1 and similar claims have been considered but are moot in view of the new ground of rejection based on the Adobe After Affect Version 4.0, July 15, 1999, http://proquest.safaribooksonline.com/0201658917, (hereinafter After Effect).

As addessed in the present Office Action, the claim 1 is fulfilled by After Effect.

In a non-limiting example, Adobe After Effects teaches in Page 36 and 41 providing the plug-ins or effects to be added to a movie to produce modifications of an original movie rendered

as lower-resolution image frames or proxies of the original movie. In Page 31 After Effects

teaches that effects/coordinates can be controlled in the Effect Controls window. Adobe After

Effects teaches rendering the project named 07Movie.mov, which represents a sequence of

frames of the movie. In Page 2 and 6, After Effects teaches that the Render Settings window

should be checked for the following settings: Use No Proxies and Effects All on. With After

Effects, a user can also import high-resolution footage of an actor filmed against a blue screen

and create a proxy or a lower-resolution copy of the original footage from the Composition

window; see for example, Page 9-12. When a user use the ActHiR.mov file in a composition,

After Effects will use the proxy for display. Effects and properties are applied to the actual

footage when the movie is rendered as a proxy with Use No Proxies selected from the Proxy Use

menu in the Render Settings dialog box in which a proxy is rendered. Even though the proxy is

set to a lower-resolution of 152*384, it behaves as if it's 2048*1536 in the composition. After

Effects teaches that the edit feature includes the settings in the Render Settings window wherein

the settings can be changed by a user. Referring to the Page 2 and 6, to render a lower-resolution

copy of an original movie, the references set forth in the claim invention correspond to the pixel

positions/locations/coordinates/frame-time-stamps of the proxy frame(s) and/or the effects in

correspondence with the original frame(s). After Effects teaches storing the modifications in

response to a user edit command wherein the effects and properties applied to the proxies or the

lower-resolution counterparts are also applied to the actual footage, e.g., ActHiR.mov. In Page

11-12 After Effects teaches that the proxy is stored in the file folder. In Page 11, After Effects

teaches that ActPrx.mov is a proxy movie of ActHiR.mov and in Pages 22-31 the proxies of the

original movie are displayed as lower-resolution image frames. After Effects further teaches

manipulating the time based stream of information in which the project 07Movie.mov is a time based stream of information and is rendered as a sequence of frames representing a movie. In Page 2 and 6 After Effects teaches that the Render Settings window should be checked for the following settings: Use No Proxies and "Effects All" on and the edit effects correspond to edit features of the claim invention are applied to the lower-resolution proxies at the spatial pixel coordinates while sampling the movie at a frame rate.

After Effects further teaches creating a proxy during the rendering and prior to completion of the rendering. Adobe After Effects teaches that the original movie can be rendered at lower-resolution during the rendering and the lower-resolution proxy is created/generated when it is rendered. In a non-limiting example, in Page 7-11, the After Effects teaches that the proxy representing Photo-JPEG images is rendered at quarter resolution of the original movie frames and at a frame rate of 24 fps less than the original movie's frame rate. Since the original movie is rendered at the lower-resolution and at lower frame rate as proxies, the original movie is modified when rendered. Moreover, when rendering the original movie, special effects such as Converter effects are applied to produce a revised presentation. The edit effects such as Cineon Converter effects are applied to the proxy during the rendering of the movie at 24 fps. In Page 22, proxies including FX_Prx.mov are created during the rendering and prior to completion of the rendering wherein proxy images and/or effects are added to the movie FX_HiR.mov and the proxy frames of FX_HiR.mov are rendered at the user-selectable resolution with the effects being added to the proxy frames. In Page 21-31, a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project.

After Effects teaches the claim limitation that the creating the proxy includes simulating the edit feature on the presentation. Adobe After Effects teaches that the original movie can be rendered as a lower-resolution proxy copy during the rendering. In Page 7-11, After Effects teaches that the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps. In Page 22, it is further illustrated that a proxy is created during the rendering and prior to completion of the rendering. In Page 30-31, a variety of effects are applied to the lower-resolution proxies or counterparts of the original image frames of the movie project.

After Effects teaches sending the proxy to display. In Page 22 After Effects teaches that you'll set proxies to speed up screen redraw and in Page 31 After Effects teaches that the lower-resolution proxies are displayed.

After Effects teaches displaying the proxy during the rendering. In Page 22, After Effects teaches you'll set proxies to speed up screen redraw and thus proxies are displayed for screen redraw. In Page 31 After Effects teaches that the lower-resolution proxies are displayed.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-26 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not

described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The based claim 1 also recites "creating a proxy during the rendering....wherein the creating the proxy includes simulating the edit feature on the presentation" However, a proxy is described in Page 8 as a simulated version of the modifications by adding an edit feature to the presentation. However, in Pages 16-17, it is stated, "the proxy editor 88 draws letters to the unit(s) to fake the text <u>rendering</u> conducted by the program manager...to add transitions and other edit features to a unit, the proxy editor may charge the processor to make the changes to the unit in the same manner as the <u>actual rendering...However, if the unit represented by the proxy has already been shown, the display skips the showing of that proxy unit and only shows the proxy units that arrive at the display control prior to the showing of the corresponding unit</u>". Thus, applicant at best describes creating a proxy prior to the adding of <u>another</u> edit feature which is drastically different from the adding of an edit feature recited in Step (A) of the Claim 1. Applicant also speculated that the proxy corresponds to any of the proxy units in the specification. However, the proxy unit is a singleton unit, which is rendered after the adding of an edit feature, as opposed to be rendered during the adding of an edit feature. It may be true that the proxy unit is rendered/created during the adding of another edit feature or a next edit feature to another proxy unit, as opposed to be rendered/created during the adding of the very first edit feature to the same proxy unit. It is not necessary to add the edit feature to the proxy unit after the edit feature has been rendered/created. The claim limitation is self-contradictory. It is not necessary to add the same edit feature to the proxy unit after the edit feature has been rendered to

the proxy unit. It may be true to add the next edit feature to the next proxy unit during the display of the previous proxy unit.

Although multiple processors are present to execute the simultaneous rendering and proxy generation, the proxy is still rendered by a **separate** entity after **an edit feature** being added to the presentation by the process manager. Therefore, the specification does not describe "creating a proxy during the rendering and prior to completion of the rendering".

Claims 2-7 depend upon the claim 1 and are rejected due to their dependency on the claim 1.

The claim 8 is subject to the same rationale of rejection set forth in the claim 1.

The claims 9-14 depend upon the base claim 8 and are rejected due to their dependency on the claim 8.

The claim 15 is subject to the same rationale of rejection set forth in the claim 1.

The claims 16-20 depend upon the base claim 15 and are rejected due to their dependency on the claim 15.

The claim 21 is subject to the same rationale of rejection set forth in the claim 1.

The claims 22-26 depend upon the base claim 21 and are rejected due to their dependency on the claim 21.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

For example, the base claim 1 recites the "rendering modifications of a presentation that includes adding an edit feature to the presentation", "creating a proxy during the rendering and prior to completion of the rendering" and "wherein the creating the proxy includes simulating the edit feature on the presentation". However, applicant failed to particularly point out the claim limitations set forth in the claim 1. For example, "a proxy" is a singleton proxy unit (as opposed to a plurality of proxies), which is rendered or displayed after adding an edit feature. However, applicant's claim recites "an edit feature" which is a singleton proxy unit (as opposed to a plurality of edit features). Applicant's claim 1 further recites "creating a proxy during the rendering and prior to completion of the rendering." This claim language is vague and confusing while only one proxy unit is rendered with an edit feature. Therefore, the claim limitation "creating a proxy during the rendering and prior to completion of the rendering...wherein the creating the proxy includes simulating the edit feature on the presentation" renders the claim 1 indefinite.

Claims 2-7 depend upon the claim 1 and are rejected due to their dependency on the claim 1.

The claim 8 is subject to the same rationale of rejection set forth in the claim 1.

The claims 9-14 depend upon the base claim 8 and are rejected due to their dependency on the claim 8.

The claim 15 is subject to the same rationale of rejection set forth in the claim 1.

The claims 16-20 depend upon the base claim 15 and are rejected due to their

dependency on the claim 15.

The claim 21 is subject to the same rationale of rejection set forth in the claim 1.

The claims 22-26 depend upon the base claim 21 and are rejected due to their

dependency on the claim 21.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Adobe After

Effect Version 4.0, July 15, 1999, http://proquest.safaribooksonline.com/0201658917

(hereinafter After Effects; for ease of reference, the pages of the print-out are renumbered).

1.   Re Claims 1, 8, 15, 21:

After Effects teaches a method of manipulating a presentation of a time based stream

(e.g., adding effects to a movie clip, an animation clip, etc) of information in a processing

system, the method comprising:

Rendering modifications (*such as plug-ins, effects, images added to a movie; see page 1*

and 35 or modifications of an original movie at lower-resolution; see also Page 31 wherein

effects/coordinates can be controlled in the Effect Controls window) of a presentation (*e.g.,*

rendering the project 07Movie.mov which is a sequence of frames of the movie; see Page 2 and 6

wherein the Render Settings window should be checked for the following settings: Use No

Proxies and Effects All on wherein effects correspond to edit features of the claim invention;

With After Effects, the user can also import high-resolution footage of an actor filmed against a

blue screen and create a proxy or a lower-resolution copy of the original footage from the

Composition window; see Page 9-12. When you use the ActHiR.mov file in a composition, After

Effects will use the proxy for display. Effects and properties applied to the proxy are applied to

the actual footage when the movie is rendered with Use No Proxies selected from the Proxy Use

menu in the Render Settings dialog box. Even though the proxy is 152*384, it behaves as if it's

2048*1536 in the composition) that include adding an edit feature to the presentation that has

one or more references *(The edit feature includes the settings in the Render Settings window*

which can be changed by a user; see Page 2 and 6 or rendering at lower-resolution of an

original movie; the one or more references are the pixel positions/locations/coordinates/time-

stamps corresponding to the proxy frame and/or the original frame in the sequence of frames), to

create a revised presentation, and storing the modifications in response to a user edit command

(effects and properties applied to the proxies or the lower-resolution counterparts are applied to

the actual footage which is stored in ActHiR.mov; see Page 11-12 and the proxy is stored in the

file folder; see Page 11 wherein ActPrx.mov is a proxy movie of ActHiR.mov; see Pages 22-31

for the lower-resolution counterparts/proxies of the original movie), wherein the one or more

references *(e.g., pixel positions/locations/coordinates/time-stamps corresponding to the proxy*

frame and/or the original frame in the sequence of frames) have instructions to manipulate the

time based stream of information *(e.g., rendering the project 07Movie.mov which is a sequence*

of frames within a movie; see Page 2 and 6 wherein the Render Settings window should be

checked for the following settings: Use No Proxies and "Effects All" on wherein Effects

correspond to edit features of the claim invention are applied to the lower-resolution proxies;

With After Effects, the user can also import high-resolution footage of an actor filmed against a

blue screen and create a proxy or a lower-resolution copy of the original footage from the

Composition window; see Page 9-12. When you use the ActHiR.mov file in a composition, After

Effects will use the proxy for display. Effects and properties applied to the proxy are applied to

the actual footage when the movie is rendered with Use No Proxies selected from the Proxy Use

menu in the Render Settings dialog box. Even though the proxy is 152*384, it behaves as if it's

2048*1536 in the composition. Other edit features or effects can be found in Page 24; adding the

FX_HiR.mov footage item to the composition twice to give the sky a glow; see Page 25 wherein

movies are combined); and

Creating a proxy during the rendering and prior to completion of the rendering that

includes a simulation of the modifications (*The original movie can be rendered at lower-*

resolution proxy during the rendering; see Page 7-11 wherein the proxy representing Photo-

JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects

such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of

time-based streams such as the movie at 24 fps; See also Page 22, proxies including

FX_Prx.mov are created during the rendering and prior to completion of the rendering wherein

proxy images and/or effects are added to the movie FX_HiR.mov wherein the proxy frames of

FX_HiR.mov are rendered at the user-selectable resolution with the effects being added to the

proxy frames; see Page 21-31 wherein a variety of effects are applied to the lower-resolution

proxies/counterparts of the original image frames of the movie project), wherein the creating the

proxy includes simulating the edit feature on the presentation without writing changes to a

storage (*The original movie can be rendered at lower-resolution proxy during the rendering; see*

Page 7-11 wherein the proxy representing Photo-JPEG images are rendered at quarter

resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are

applied to the proxy during the rendering of a plurality of time-based streams such as the movie

at 24 fps; See Page 22, proxy is created during the rendering and prior to completion of the

rendering; see Page 30-31 wherein a variety of effects are applied to the lower-resolution

proxies/counterparts of the original image frames of the movie project);

Sending the proxy to display (*See Page 22, you'll set proxies to speed up screen redraw;*

see Page 31 wherein the lower-resolution proxies are displayed) and

Displaying the proxy during the rendering (*See Page 22, you'll set proxies to speed up*

screen redraw; see Page 31 wherein the lower-resolution proxies are displayed).

In a non-limiting example, Adobe After Effects teaches in Page 36 and 41 providing the

plug-ins or effects to be added to a movie to produce modifications of an original movie rendered

as lower-resolution image frames or proxies of the original movie. In Page 31 After Effects

teaches that effects/coordinates can be controlled in the Effect Controls window. Adobe After

Effects teaches rendering the project named 07Movie.mov, which represents a sequence of

frames of the movie. In Page 2 and 6, After Effects teaches that the Render Settings window

should be checked for the following settings: Use No Proxies and Effects All on. With After

Effects, a user can also import high-resolution footage of an actor filmed against a blue screen

and create <u>a proxy or a lower-resolution copy</u> of the original footage from the Composition

window; see for example, Page 9-12. When a user use the ActHiR.mov file in a composition,

After Effects will use the proxy for display. Effects and properties are applied to the actual

footage when the movie is rendered as a proxy with Use No Proxies selected from the Proxy Use

menu in the Render Settings dialog box in which a proxy is rendered. Even though the proxy is

set to a lower-resolution of 152*384, it behaves <u>as if</u> it's 2048*1536 in the composition. After

Effects teaches that the edit feature includes the settings in the Render Settings window wherein

the settings can be changed by a user. Referring to the Page 2 and 6, to render a lower-resolution

copy of an original movie, the references set forth in the claim invention correspond to the pixel

positions/locations/coordinates/frame-time-stamps of the proxy frame(s) and/or the effects in

correspondence with the original frame(s). After Effects teaches storing the modifications in

response to a user edit command wherein the effects and properties applied to the proxies or the

lower-resolution counterparts are also applied to the actual footage, e.g., ActHiR.mov. In Page

11-12 After Effects teaches that the proxy is stored in the file folder. In Page 11, After Effects

teaches that ActPrx.mov is a proxy movie of ActHiR.mov and in Pages 22-31 the proxies of the

original movie are displayed as lower-resolution image frames. After Effects further teaches

manipulating the time based stream of information in which the project 07Movie.mov is a time

based stream of information and is rendered as a sequence of frames representing a movie. In

Page 2 and 6 After Effects teaches that the Render Settings window should be checked for the

following settings: Use No Proxies and "Effects All" on and the edit effects correspond to edit

features of the claim invention are applied to the lower-resolution proxies at the spatial pixel

coordinates while sampling the movie at a frame rate.

After Effects further teaches creating a proxy during the rendering and prior to completion of the rendering. Adobe After Effects teaches that the original movie can be rendered at lower-resolution during the rendering and the lower-resolution proxy is created/generated when it is rendered. In a non-limiting example, in Page 7-11, the After Effects teaches that the proxy representing Photo-JPEG images is rendered at quarter resolution of the original movie frames and at a frame rate of 24 fps less than the original movie's frame rate. Since the original movie is rendered at the lower-resolution and at lower frame rate as proxies, the original movie is modified when rendered. Moreover, when rendering the original movie, special effects such as Converter effects are applied to produce a revised presentation. The edit effects such as Cineon Converter effects are applied to the proxy during the rendering of the movie at 24 fps. In Page 22, proxies including FX_Prx.mov are created during the rendering and prior to completion of the rendering wherein proxy images and/or effects are added to the movie FX_HiR.mov and the proxy frames of FX_HiR.mov are rendered at the user-selectable resolution with the effects being added to the proxy frames. In Page 21-31, a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project.

After Effects teaches the claim limitation that the creating the proxy includes simulating the edit feature on the presentation. Adobe After Effects teaches that the original movie can be rendered as a lower-resolution proxy copy during the rendering. In Page 7-11, After Effects teaches that the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps. In Page 22, it is further illustrated that a proxy is created during the rendering and prior to completion of the

rendering. In Page 30-31, a variety of effects are applied to the lower-resolution proxies or

counterparts of the original image frames of the movie project.

After Effects teaches sending the proxy to display. In Page 22 After Effects teaches that

you'll set proxies to speed up screen redraw and in Page 31 After Effects teaches that the lower-

resolution proxies are displayed.

After Effects teaches displaying the proxy during the rendering. In Page 22, After Effects

teaches you'll set proxies to speed up screen redraw and thus proxies are displayed for screen

redraw. In Page 31 After Effects teaches that the lower-resolution proxies are displayed.

Re Claims 2, 9, 16, 22:

The claims recite additional claimed limitation of displaying units of the presentation in

response to the user edit command and sending instructions for creating the proxy when a unit

requiring modification is reached. However, After Effect further disclose the claim limitation of

displaying units of the presentation in response to the user edit command and sending

instructions for creating the proxy when a unit requiring modification is reached (After teaches in

Page 11 displaying the proxy footage or movie frames by clicking the proxy indicator to turn it

on or off. After Effects teaches in Page 23 creating a new composition at lower-resolution and

the lower frame rate upon the user's edit command).

Re Claims 3, 10, 17, 23:

The claims recite additional limitation of creating proxy by drawing an imitation of the edit feature. However, After Effects further discloses the claim limitation of creating proxy by drawing an imitation of the edit feature (See Pages 30-31 wherein the imitation of the edit feature is drawn).

Re Claims 4, 11, 18, 24:

The claims recite additional claimed limitation of the edit feature being text and the imitation including simulated character, size and font. However, After Effect further discloses the claim limitation of the edit feature being text and the imitation including simulated character, size and font (See Pages 32-34).

Re Claims 5, 12 and 25:

The claim 5 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of a first software component having instructions for adding the edit feature and the first software component being separate from a second software component that has instructions for creating the proxy. However, After Effect further discloses the claimed limitation of a first software component having instructions for adding the edit feature (the file-format plug-in in Page 35 which presents the Cineon file to After Effects or the Wave Warp plug-in in Page 36) and the first software component being separate from a second software component that has instructions for creating the proxy (See Page 23 wherein a new composition as a proxy of the original movie is rendered using the Adobe After Effects software which is separate from the plug-in; see Page 41 for the After Effects 4.0 Production Bundle).

Re Claims 6, 13, 19 and 25:

The claim 6 encompasses the same scope of invention as that of claim 5 except additional claimed limitation of the second software unit being a plug-in or ActiveX control.

After Effect further discloses the claim limitation of the second software unit being a plug-in or ActiveX control (for plug-in see Page 1 or the file-format plug-in in Page 35 or the Wave Warp plug-in in Page 36).

Re Claims 7, 14, 20 and 26:

The claims set forth additional claim limitation of displaying of the proxy at a rate that is substantially less than the play rate of the time-based stream of information.

After Effects further discloses the claim limitation of displaying of the proxy at a rate that is substantially less than the play rate of the time-based stream of information (*The original movie can be rendered at lower-resolution proxy during the rendering; see Page 7-11 wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps which is much less than the native playback speed of the original movie*).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-5, 8-12, 15-18, 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Cajolet U.S. Patent No. 6,686,918 (hereinafter Cajolet) in view of Rayner U.S. Patent No.

5,519,828 (hereinafter Rayner).

2.   Re Claims 1, 8, 15, 21:

Cajolet teaches a method of manipulating a presentation of a time based stream of

information in a processing system, the method comprising:

Rendering modifications of a presentation that includes adding an edit feature to the

presentation that has one or more references (*see column 6 wherein Cajolet discloses dragging*

operations to drag the edge to the desired new position wherein the new position as a reference

to the presentation; the presentation has one or more references including a data structure, a

pointer to a set of project properties, and a pointer to a plurality of elements and an offset which

indicates the start of the element relative to the start of the project; see column 11, lines 26-60;

the editing includes adding various effect functions to modify the result of animation, modifying

the animation parameters such that the duration of a clip be increased or decreased; see column

8, lines 30-52; the editing includes changing the speed of the clip and modifying the start or end

position; see column 8, lines 20-30; see also column 7, lines 23-43 for the teaching of an edit

feature), to create a revised presentation, and storing the modifications in response to a user edit

command (*the revised presentation includes the changing icons representing the state of the information in element 28b, the thumbnails 84a, 84b, 84c can indicate the change or evolution in the underlying information over time; see column 6, lines 4-28; the edit command includes the dragging operations wherein a user clicks on either the start or ending edge of clip with input device to drag the edge to the desired new position; see column 6, lines 29-52*), wherein the one or more references have instructions to manipulate the time based stream of information (*in column 8, lines 35-40, animations in response to modifications can be performed in real time and the animator modifies a set of parameters; see column 7, such as the animation parameters which provide references to the clips and the modeling tool has a plurality of functions that have instructions to modify the clip; see column 7, lines 10-60*); and

Creating a proxy of the revised presentation during the rendering and prior to completion of the rendering that includes a simulation of the modifications, wherein the creating includes simulating the edit feature on the presentation, wherein the creating the proxy includes simulating the edit feature on the presentation (*The cited reference discloses creating a 2D information proxy such as thumbnails or icons that dynamically simulate the 3D animation of the character "John" wherein the thumbnails or icons are a proxy of the revised presentation of the 3D information and displaying the thumbnails or icons during the adding of the effects and thereby the thumbnails are created during the rendering/displaying because the icons representing the content of the clip to indicate the change or evolution in the underlying information over time with the add features being added; see column 6, lines 1-52; in column 8, lines 35-40, animations in response to modifications can be performed in real time*);

Sending the proxy to display and displaying the proxy during the rendering (*The cited reference discloses displaying the thumbnails or icons during the adding of the effects and thereby the thumbnails are created during the rendering/displaying because the icons representing the content of the clip to indicate the change or evolution in the underlying information over time with the add features being added; see column 6, lines 1-52; in column 8, lines 35-40, animations in response to modifications can be performed in real time*).

Although Cajolet does not expressly disclose "a proxy", Cajolet discloses a simulation of the revised presentation (See column 6, lines 1-52 and column 8, lines 35-40).

Rayner teaches a method of manipulating a presentation of a time based stream of information in a processing system, the method comprising:

Rendering modifications of a presentation that includes adding an edit feature (*column 4, lines 25-35 discloses edit list*) to the presentation that has one or more references (*Rayner discloses an edit feature including one of the mark command of column 10, lines 20-30, reverse rate command of column 10, lines 45-50 and references include the vertical reference of column 12, lines 40-45, the time marks of column 12, lines 55-62 wherein the one or more references include the positions on the timeline*), to create a revised presentation and storing the modifications (*e.g., an active video sequence of column 6, lines 20-25 which have been virtually edited into a single sequence in one of the work areas; in **column 8, lines 10-20,** Rayner discloses that the active video sequence includes the video frame samples 17 which are stored with **pointers or references** to the locations of the corresponding video frames 19*) in response to a user edit command, wherein the one or more references have instructions to manipulate the

time based stream of information (*the desired combined video sequence of column 14, lines 30-40 meets the claim limitation of "a revised presentation" or the composite video segments of column 5, lines 53-65 meets the claim limitation of "a revised presentation"*); and

Creating a proxy during the rendering and prior to completion of the rendering that includes a simulation of the modifications, wherein the creating includes simulating the edit feature on the presentation, wherein the creating the proxy includes simulating the edit feature on the presentation (*The frame samples of typically only eight pixels of information are used as a surrogate for the real video images during some parts of the editing process in Rayner meet the claim limitation of "a proxy" because the video samples; see column 5, lines 20-30. In column 6, lines 1-12, Rayner teaches previewing the virtual edit of the active layers as a composite sequence, but not recorded, and the virtual edit of the active layers meets the claim limitation of "a proxy" because it is a simulation of the revised presentation of the video sequence, the virtual edit includes changes the rate of the frames being presented such as 60 fps or 30 fps and thus simulating the virtual edit on the frames; see column 6, lines 1-12*);

Sending the proxy to display and displaying the proxy during the rendering (*In column 6, lines 1-12, Rayner teaches previewing the virtual edit of the active layers as a composite sequence and the virtual edit includes changes the rate of the frames being presented such as 60 fps or 30 fps and thus simulating the virtual edit on the frames; see column 6, lines 1-12*).

Therefore, Rayner discloses a simulation of the revised presentation in which Rayner discloses the simulation of the video sequence when he presented the virtual edits of the video sequences.

It would have been obvious to one of the ordinary skill in the art to have combined the

Rayner and Cajolet's teaching of editing the video sequence and presenting a simulation of the

video sequence because Rayner suggests the claim limitation of "a proxy" by allowing for the

much less total information than the underlying video frame be presented as surrogates for the

real video images during some parts of the editing process (*See Rayner column 1, lines 30-35*

and column 8, lines 53-65) and Cajolet suggests the claim limitation of "a proxy" by teaching

icons or thumbnails allowing for the much less total information than the underlying video frame

be presented as surrogates for the real video images during editing and thus allows for faster

editing of the video sequence.

One of the ordinary skill in the art would have been motivated to do so to allow for the

previewing without recording the editing of the composite video sequences active in the

Workspace and thus creating the desired combined video sequence (See Rayner column 14, lines

30-45).

Re Claims 2, 9, 16, 22:

The claims recite additional claimed limitation of displaying units of the presentation in

response to the user edit command and sending instructions for creating the proxy when a unit

requiring modification is reached. However, Cajolet and Rayner further disclose the claim

limitation of displaying units of the presentation in response to the user edit command and

sending instructions for creating the proxy when a unit requiring modification is reached

(column 8, lines 30—45 wherein Cajolet discloses that rendering of animations in response to

modifications can be performed in real time). Cajolet discloses in column 8-9 that in addition to

modifying the parameters of any given element in a project, a user may also modify the

relationship between elements in a project, and add, subtract or substitute elements within a

project. In particular, an edit can be performed with low quality elements, for speed and

performance considerations, or elements which are merely placeholders for information which is

not yet available. Once the information becomes available or a final edit is required at a different

quality level, the various elements in the project can be replaced by the desired elements without

requiring any other effort on the part of the animator. The user can select one or more desired

elements from a list of available elements presented in the browser in Function area 48 and drag

and drop the desired element on top of the clip representing the placeholder or different quality

element in a track 72 in NLE time line area 52. When a desired clip is dropped onto a clip

already in the track, the desired clip replaces the clip already in the track and the start time, end

time and duration of the desired clip are set to those of the clip previously in place.

Re Claims 3, 10, 17, 23:

The claims recite additional limitation of creating proxy by drawing an imitation of the

edit feature. However, Cajolet and Rayner further disclose the claim limitation of creating proxy

by drawing an imitation of the edit feature. In column 8, lines 35-40 of Cajolet, animations in

response to modifications can be performed in real time and the animator modifies a set of

parameters; see column 7, such as the animation parameters which provide references to the clips

and the modeling tool has a plurality of functions that have instructions to modify the clip; see

column 7, lines 10-60.

Re Claims 4, 11, 18, 24:

The claims recite additional claimed limitation of the edit feature being text and the imitation including simulated character, size and font. However, Cajolet and Rayner further disclose the claimed limitation of the edit feature being text and the imitation including simulated character, size and font. Cajolet describes textual description of the thumbnails and icons, which are the simulated textual descriptions of characters, size and font.

Re Claims 5, 12 and 25:

The claim 5 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of a first software component having instructions for adding the edit feature and the first software component being separate from a second software component that has instructions for creating the proxy. However, Cajolet further discloses the claimed limitation of a first software component having instructions for adding the edit feature and the first software component being separate from a second software component that has instructions for creating the proxy. Cajolet discloses using the animation tool to perform the change/edit commands (Cajolet column 11, lines 10-20) and separately re-rendering can be performed to produce the updated thumbnails on the clips in the NLE system by the render engine (Cajolet column 11, lines 1-3 and column 4, lines 45-50). Therefore, separate software components are involved to perform the editing by the animation tool and to perform rendering of the updated thumbnails on the clips.

Claims 6-7, 13-14, 19-20 and 25-26 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Cajolet U.S. Patent No. 6,686,918 (hereinafter Cajolet) in view of Rayner U.S.

Patent No. 5,519,828 (hereinafter Rayner) and Scott U.S. Patent No. 5,638,504 (hereinafter

Scott).

Re Claims 6, 13, 19 and 25:

The claim 6 encompasses the same scope of invention as that of claim 5 except additional

claimed limitation of the second software unit being a plug-in or ActiveX control.

Cajolet and Rayner are silent to the claimed limitation of the second software unit being a

plug-in or ActiveX control.

However, Scott discloses a plug-in function block 440 for creating a proxy (Fig. 8) in

addition to the other function blocks.

It would have been obvious to have incorporated Scott's plug-in into Cajolet and Rayner

at the time of the invention was made because such software for creating proxy is old and well-

known in the document processing art. Cajolet discloses a rendering engine as a plug-in for

rendering the updated thumbnail in the NLE system (See column 4, lines 45-50; column 11, lines

1-3) and therefore suggesting the claim limitation. One of the ordinary skill in the art would have

been motivated to include plug-in so that individual editing operations can be specified to which

an intelligent proxy object can respond (Scott column 5, lines 40-45).

Re Claims 7, 14, 20 and 26:

The claims set forth additional claim limitation of displaying of the proxy at a rate that is substantially less than the play rate of the time-based stream of information.

Cajolet and Rayner are silent to the claim limitation of displaying of the proxy at a rate that is substantially less than the play rate of the time-based stream of information. However, Rayner discloses time marking the video sequence and presenting the virtual edits of the video sequence at a rate of 30 fps or 60 fps and therefore suggests the claim limitation of displaying the proxy at a rate that is substantially less than the play rate of the time-based stream of information (See Rayner column 5, lines 1-15 and column 6, lines 1-12).

However, Scott also discloses displaying the proxy as a graphical icon which is displayed at a rate that is substantially less than the play rate of the window for presenting the document information (Scott column 15-16).

It would have been obvious to have incorporated Scott's invention into Cajolet and Rayner's invention because displaying the proxy at a rate substantially less than the play rate of the time-based stream of information is old and well-known in the document processing art at the time of the claimed invention was made as Scott discloses displaying the proxy basically as a static icon which is displayed substantially less than the play rate of the window for presenting the document information. Moreover, Cajolet discloses in column 6, lines 20-25 that thumbnail 84c occurs twice along time line 66 so that the thumbnail 84c is presented at a rate less than the clip rate and in column 7, lines 20-45 changing the animation speed and thus changing the rate for displaying the proxy. In column 8, lines 30-45, Cajolet discloses that the content of the frames in the modified element will change and must be rendered unless the modification was limited to the discarding of a portion of the animation or the employing of additional frames,

previously rendered or stored and the re-rendering of animations in response to modifications

can be performed in real time and therefore suggesting the claim limitation of displaying of the

proxy at a rate that is substantially less than the play rate of the time-based stream of

information. One of the ordinary skill in the art would have been motivated to have modified

Cajolet and Rayner's invention so that the proxy object is updated less than the time-based

stream of information in which the editing operations are performed (Cajolet column 6, lines 20-

25).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1,8, 15 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Phillips

U.S. Patent No. 6,504,552 (hereinafter Phillips).

3.   Re Claims 1, 8, 15, 21:

Phillips teaches a method of manipulating a presentation of a time based stream of

information in a processing system, the method comprising:

A)   Rendering modifications of a presentation that includes adding an edit feature to

the presentation that has one or more references (*e.g., Fig. 6 and column 14, lines 53-67 and*

column 15, lines 1-50 wherein a plurality of references are disclosed including the locations of

markers) to create a revised presentation, and storing the modifications in response to a user edit

command, wherein the one or more references have instructions to manipulate the time based

stream of information (*e.g., Phillips discloses adding the special effects to a low resolution video*

335 in response to a user edit command; column 9, lines 5-20 and 14, lines 10-20), and

B)   Creating a proxy during the rendering and prior to completion of the rendering

that includes a simulation of the modifications, wherein the creating includes simulating the edit

feature on the presentation, wherein the creating the proxy includes simulating the edit feature on

the presentation (*Phillips discloses rendering special effects on a low resolution video frame and*

the modified low resolution video frame is a proxy of the revised presentation because it has the

new special effects being added into it. Phillips discloses editing special effects on a frame of

video image 335 generated/created by the compositor 330 or rendering the special effects on a

frame of low resolution video images 424 generated by DNLE 420 so that artist 120 can view the

special effects displayed in images 424 to determine if the rendering is satisfactory and such

editing of the special effects are viewed and displayed on a low resolution image frame which is

a proxy of high resolution image frame. Phillips discloses that the artist 120 recreates the

special effects by viewing low-resolution video proxy images 335 and translation of the

renderings of artist 120 with reference to video proxy images 335 and the compositor 330 uses

data to generate high-resolution images with special effects; the rendering of the low resolution

image frame or proxy of the revised presentation with the special effects being added is

performed during the editing of the special effects and the displaying of the low resolution image

frame or proxy of the revised presentation with the special effects being added is performed

during the editing of the special effects; see column 11, lines 60-67, column 12, lines 1-26 and

column 14, lines 10-20).

Sending the proxy to display and displaying the proxy during the rendering (*Phillips*

discloses that the artist 120 recreates the special effects by viewing low-resolution video proxy

images 335 and translation of the renderings of artist 120 with reference to video proxy images

335 and the compositor 330 uses data to generate high-resolution images with special effects;

the rendering of the low resolution image frame or proxy of the revised presentation with the

special effects being added is performed during the editing of the special effects and the

displaying of the low resolution image frame or proxy of the revised presentation with the

special effects being added is performed during the editing of the special effects; see column 11,

lines 60-67, column 12, lines 1-26 and column 14, lines 10-20).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jin-Cheng Wang whose telephone number is (571) 272-7665.

The examiner can normally be reached on 8:00 - 6:30 (Mon-Thu).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kee Tung can be reached on (571) 272-7794. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

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like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jcw   *Jin Cheng Wang*